



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/756,477	01/08/2001	David Ford	01,009	7304

7590 08/05/2004

Joseph W. Berenato, III
Liniak, Berenato & White, LLC
6550 Rock Spring Drive
Suite 240
Bethesda, MD 20817

EXAMINER

RAJGURU, UMAKANT K

ART UNIT	PAPER NUMBER
----------	--------------

1711

DATE MAILED: 08/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/756,477
Filing Date: January 08, 2001
Appellant(s): FORD ET AL.

MAILED

AUG 05 2004

GROUP 1700

William C. Schrot

For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 04/14/2004.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences, which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

This appeal involves claims 1, 4-7 and 13-15.

Claims 8-12 are withdrawn from consideration as not directed to the elected.

Claims 2 & 3 have been canceled.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

The appellant's statement in the brief that certain claims do not stand or fall together is not agreed with because all claims under appeal are directed to one

invention viz. a molded door skin and therefore contrary to what the appellants have argued, they stand or fall together.

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

5644870	CHEN	07-1997
6313184	SASAKI ET AL	11-2001
5985429	PLUMMER ET AL	11-1999

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 4-7 and 13-15 are rejected 35 U.S.C. 103 (a) as being unpatentable over Chen (U.S. 5,644,870) in view of Sasaki et al (U.S. 6,313,184) and Plummer et al U.S. 5,985,29).

~~Chen~~^{Chen} discloses compression molded door assembly, which is comprised of two door skins (abstract; col. 2, lines 45-54). A thermoplastic material can be used to make such skin (col. 3, lines 66-67).

Chen does not mention polypropylene, high impact polystyrene, glass fibers and wood fibers.

Sasaki discloses molded articles made from copolymers of propylene. Articles include a door panel and a door trim (col. 10, line 46-47). Polystyrene can be mixed with the copolymers of propylene (col. 6, lines 56).

Plummer discloses a composition comprising a polymer, a short and a long fiber composite (abstract). High impact polystyrene is a suitable polymer (col. 7, line 18). Suitable fibers include glass fibers and wood fibers (col. 8, lines 61-64). Amount of fibers used is ~~from~~ 25 to 50% by wt (col.9, lines 14-19).

Therefore it would have been obvious to use polypropylene and/or high impact polystyrene as the polymer to make the door of Chen since both these polymers are shown to be equally suitable for that purpose. It would also have been obvious to use the wood fibers for reinforcement in the door of Chen since wood fibers are proved (by Plummer) to be equivalent to glass fibers for reinforcement and also they are cheaper than glass fibers.

(11) Response to Argument

It is noted that the newly amended claim 1 is still directed to a molded door skin.

Words "for a hollow core door assembly" suggest only an intended use.

Appellants' comments about Sasaki that "Sasaki discloses molded articles used as automotive interior materials integrated with a skin material..." are true but not persuasive since Sasaki is a secondary reference and does not have to be directed to a door skin. Besides, the molded article of Sasaki is useful as a product for ship or airplane and a building material (col. 10, line 49-52). This teaching of Sasaki obviously leads one to its use to make a skin for a door.

Appellant's comments about Plummer are also not persuasive for same reasons as above. Specifically, teaching of Plummer in col. 2, lines 48-52 offers enough

suggestions to one to use the composite to prepare door structural members, one such member being a skin for a door.

Appellants' comments on page 8 that "neither Sasaki or Plummer et al are directed to door skins for use with hollow core door assembly" are taken into consideration. Though not directed to the same invention as that of Chen, Sasaki and Plummer offer useful suggestion/s to solve the particular problems faced by Chen. There is an expectation certain success by combining Sasaki and Plummer with Chen. It is the examiner's position that door skin is an obvious variant of the panel taught by Sasaki. Furthermore appellants' argument on page 9 that "one skilled in the art would not have looked to molding processes used for molding relatively thick and/or small articles such as disclosed by Sasaki or Plummer et al " is not persuasive. It is the examiner position here, that after all, the teaching of Sasaki and Plummer is toward-molding process. It is immaterial whether that process is used for thick/thin, large/small articles.

Appellants' argument that none of the references in combination disclose or suggest claimed invention is not persuasive.

It is noted that prior art does not specifically and exactly teach the claimed amounts of claimed ingredients of the composition. It is well known in the art and also obvious to vary amount disclosed in the prior art to obtain end product/s with specific desired characteristics.

For the above reasons, it is believed that the rejections should be sustained.

A handwritten signature, possibly reading "MR", is located at the bottom left of the page.

Application/Control Number: 09/756,477
Art Unit: 1711

Page 7

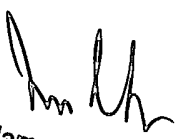
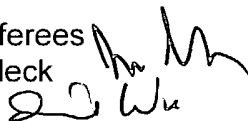
Respectfully submitted,

July 19, 2004

Appeal Conferees

James Seidleck

David Wu



James J. Seidleck
Supervisory Patent Examiner
Technology Center 1700

SHUGHART THOMSON & KILROY, PC
120 WEST 12TH STREET
KANSAS CITY, MO 64105